

#14

PATENT

ATTORNEY DOCKET NO.: DIVER1280-10

AMENDMENT UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE - GROUP ART UNIT NO.: 1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Short and Keller Art Unit: 1636  
Application No.: 09/848,095 Examiner: Bronwen Loeb  
Filed: May 3, 2001  
Title: HIGH THROUGHPUT SCREENING FOR  
NOVEL ENZYMES

ATTN: BOX AF  
Commissioner for Patents  
Washington, D.C. 20231

DECLARATION UNDER 37 C.F.R. § 1.132

Sir:

I, Jay M. Short, Ph.D., do hereby declare and state that:

1. I presently hold the positions of President, Chief Executive Officer and Chief Technology Officer of Diversa Corporation, formerly known as Recombinant Biocatalysis, Inc., having a place of business at 4955 Directors Place, San Diego, CA 92121.

2. Diversa Corporation is the Assignee of 100 percent interest in Application Serial No. 09/848,095, filed May 3, 2001, entitled HIGH THROUGHPUT SCREENING FOR NOVEL ENZYMES as evidenced by the Assignment to Recombinant Biocatalysis, Inc, a Delaware Corporation, recorded on September 22, 1998 in the United States Patent and Trademark Office on Reel 9488, Frame 0675. A certified copy of the name change from Recombinant Biocatalysis, Inc. to Diversa Corporation is attached.

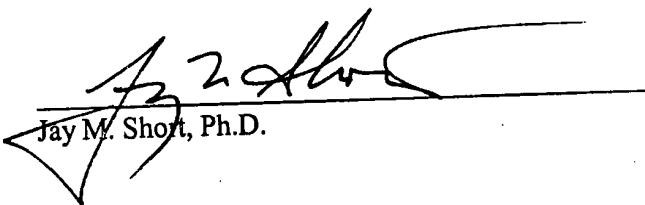
3. Diversa Corporation is the Assignee of 100 percent interest in U.S. Patent No. 6,057,103, issued May 2, 2000, entitled SCREENING FOR NOVEL

BIOACTIVITIES, as evidenced by the Assignment recorded on February 17, 1998 in the United States Patent and Trademark Office on Reel 8984, Frame 0989.

4. U.S. Patent Application Serial No. 09/848,095, filed May 3, 2001, and U.S. Patent No. 6,057,103 were co-owned by Diversa Corporation at the time of the respective inventions described therein.

5. I further declare that all statements made herein of knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Apr. 15, 2003

  
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Jay M. Short, Ph.D.